

# House Bill 3257

Sponsored by Representative STARK; Representatives BONHAM, NEARMAN, SMITH DB, WALLAN, WILSON

## SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Directs State Board of Education to adopt by rule policy and process for criminal records checks of certain persons who are not employed by school districts but who may have direct, unsupervised contact with school children in two or more school districts.

Authorizes Bureau of Labor and Industries to issue permit to authorize child under 18 years of age to engage in employment otherwise prohibited by law if child successfully completed professional training for employment.

Directs Department of Education to conduct study to determine method for providing unified insurance policy to cover students participating in experiential learning program.

Declares emergency, effective on passage.

## A BILL FOR AN ACT

1  
2 Relating to experiential learning; creating new provisions; amending ORS 653.326; and declaring an  
3 emergency.

4 **Be It Enacted by the People of the State of Oregon:**

5 **SECTION 1. (1) The State Board of Education shall adopt by rule a policy and process for**  
6 **conducting background checks of persons who:**

7 (a) **Are compensated by or volunteer for one or more school districts, as defined in ORS**  
8 **326.603, for the purpose of providing instruction or training related to an experiential learn-**  
9 **ing program, including a career and technical education program;**

10 (b) **Have direct, unsupervised contact with school children;**

11 (c) **Are not required to undergo a background check as provided by ORS 326.603 or**  
12 **326.604; and**

13 (d) **May have contact with school children as an individual or as a representative of a**  
14 **business or an organization.**

15 (2) **The policy adopted under this section may require persons described in subsection (1)**  
16 **of this section to undergo:**

17 (a) **An Oregon criminal records check using the Law Enforcement Data System; or**

18 (b) **A state or nationwide criminal records check under ORS 181A.195.**

19 (3) **The Department of Education shall conduct any criminal records checks required**  
20 **under this section. The department may charge the person a fee not to exceed:**

21 (a) **\$5 for each request made under subsection (2) of this section for an Oregon criminal**  
22 **records check using the Law Enforcement Data System.**

23 (b) **The fee established by rule under ORS 181A.195 for each request made under sub-**  
24 **section (2) of this section for a state or nationwide criminal records check under ORS**  
25 **181A.195.**

26 (4) **A person who undergoes a criminal records check under this section may not be re-**  
27 **quired to undergo a criminal records check under ORS 326.607.**

**NOTE:** Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.

1       **SECTION 2.** Section 1 of this 2019 Act becomes operative on January 1, 2020.

2       **SECTION 3.** ORS 653.326 is amended to read:

3       653.326. [(1)] **Subject to federal law**, the Bureau of Labor and Industries may [*by special*  
4 *permit*] **issue a permit to** authorize a child under 18 years of age to engage in employment other-  
5 wise prohibited by law if the child has successfully completed professional training for [*such*] **the**  
6 employment conducted by any school district, **including completion of a career and technical**  
7 **education program**, or training that the bureau considers equivalent thereto. [, *and the child:*]

8       [(a) *Has graduated from high school; or*]

9       [(b) *Is employed during such time as public schools are not in session for a period exceeding 30*  
10 *days.*]

11       [(2) *The bureau or a person authorized by the bureau shall investigate periodically the conditions*  
12 *of the employment for which a special permit has been issued, to determine whether the permit should*  
13 *be continued.*]

14       **SECTION 4.** The amendments to ORS 653.326 by section 3 of this 2019 Act become oper-  
15 **ative on January 1, 2020.**

16       **SECTION 5.** (1) The Department of Education shall conduct a study to determine a  
17 **method for providing a unified insurance policy to cover all students equally and at the same**  
18 **cost when the students are participating in an experiential learning program, including a**  
19 **career and technical education program, an internship program or a volunteer program. The**  
20 **insurance must be available to all students, regardless of whether the student is a**  
21 **homeschooled student or attends a public charter school or a private school.**

22       (2) The department shall report the results of the study in the manner provided by ORS  
23 **192.245**, and may include recommendations for legislation, to an interim committee of the  
24 **Legislative Assembly related to education no later than September 15, 2019.**

25       **SECTION 6.** Section 5 of this 2019 Act is repealed on December 31, 2019.

26       **SECTION 7.** This 2019 Act being necessary for the immediate preservation of the public  
27 **peace, health and safety, an emergency is declared to exist, and this 2019 Act takes effect**  
28 **on its passage.**

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